



DOCKET NO.: AB-1526US

PATENT  
REPLY FILED UNDER EXPEDITED  
PROCEDURE PURSUANT TO  
37 CFR § 1.116

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:

Luyten, et al.

Application No.: 10/069,495

Filing Date: February 20, 2002

For: Gas1 Polypeptides

Confirmation No.: 3238

Group Art Unit: 1635

Examiner: Jon E. Angell

DATE OF DEPOSIT: February 24, 2006

I HEREBY CERTIFY THAT THIS PAPER IS BEING  
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*Scott E. Scioli*

TYPED NAME: Scott E. Scioli  
REGISTRATION NO.: 47,930

MAIL STOP AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER  
TO THE BOARD OF APPEALS PURSUANT TO 37 CFR § 1.192

Applicant hereby appeals to the Board of Appeals from the Decision of the Primary Examiner mailed **August 24, 2005** finally rejecting claim 1 of the above-identified patent application.

The item(s) checked below are appropriate:

- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as :

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02 FC:1253 1020.00 DA

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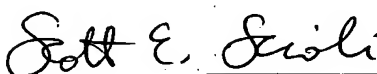
PATENT  
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37 CFR § 1.116

- ☒ Petition is hereby made under 37 CFR § 1.136(a) (fees: 37 CFR § 1.17(a)(1)-(4) to extend the time for response to the Office Action of August 24, 2005 to and through February 24, 2006 comprising an extension of the shortened statutory period of three months.

	SMALL ENTITY		NOT SMALL ENTITY	
	RATE	FEE	RATE	FEE
<input checked="" type="checkbox"/> NOTICE OF APPEAL	\$200	\$	\$500	\$500.00
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME	\$60	\$	\$120	\$0.00
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME	\$225	\$	\$450	\$0.00
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME	\$510	\$	\$1020	\$1,020.00
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME	\$795	\$	\$1590	\$0.00
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME	\$1080	\$	\$2160	\$0.00
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID	minus	(\$ )	minus	(\$ )
TOTAL FEE DUE		\$0		\$1,520.00

- ☐ A check in the amount of \$     .00 is attached. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/JAB-1526US/MHM.
- ☒ Please charge my Deposit Account No. **10-0750/JAB-1526US/MHM** in the amount of **\$1,520.00**. This sheet is attached in duplicate.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account No. **10-0750/JAB-1526US/MHM**. This sheet is provided in duplicate.

Date: February 24, 2006

  
\_\_\_\_\_  
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